HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.4958 of 2007

Dated:12.03.2007

Between:

Gandi Mutyala Naidu.

…Petitioner.

and

Pilla Akhilesu Paradesi Naidu and others.

…Respondents

HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.4958 of 2007

ORDER:

The petitioner claims to have purchased an extent of Acs.23.79 cents of land in Sy.No.47/2 of Gollalapalem Village of Sabbavaram Mandal in Visakhapatnam District, through a sale deed, dated 02.09.2004. The rights of his vendors are said to have been established through an order of the Land Reforms Tribunal, Visakhapatnam, dated 17.12.2004, in L.C.C.No.393 of 1975.

The grievance of the petitioner is that some of the persons, who put forward their claim before the Land Reforms Tribunal, but were not successful, are taking steps to get certain documents registered in respect of that very land. The petitioner made a representation, dated 23.02.2007, before the 9th respondent, with a request to keep the documents that may have been presented by respondents 1 to 8, pending. He complains that the 2nd respondent did not accede to his request.

Heard Sri Jalli Kanakaiah, learned counsel for the petitioner and learned Government Pleader for Revenue.

The petitioner wanted the 9th respondent to keep the

documents said to have been presented by respondents 1 to 8, pending. He submits that the executants of the documents, presented before the

8th respondents have not produced any link documents and the title as regards the said land in all respects vests in him. Even assuming the statement made by the petitioner is true, there is little, that the

9th respondent can do in the facts and circumstances of the case. The registering authority is not vested with the power to adjudicate upon the title in respect of the property. His concern is only to ensure compliance with the provisions of the Indian Stamp Act and the Registration Act. The question of refusing the registration of documents, on the grounds touching upon the title, is restricted to the instances, which are clearly prohibited by any law, such as the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977.

If the petitioner apprehends encroachment into his rights by respondents 1 to 8, or any other person, he has to work out his remedies in a civil Court and he can even seek temporary, or perpetual injunction, against such persons, by filing a suit.

Hence, the Writ Petition is disposed of, leaving it open to the petitioner to work out his remedies in a civil Court. There shall be no order as to costs.

L. NARASIMHA REDDY, J.

Dt.12-03-2007.

GJ